

Western Montana Resource Advisory Council
Minutes
February 19, 2004
Missoula Field Office, Missoula, Montana

Members Present: Sue Marxer (Chair), Ben Deeble, Robin McCulloch, Garry Williams, Dennis Phillipi, Pat Flowers, Doug Abelin, Susan Lenard, Robin Cunningham, Ted Coffman and Dick Young.

Members Absent: Roger Peters, Robin Urban, and Donna Tate McDonald.

BLM: Nancy Anderson (Missoula Field Manager), Rick Hotaling (Butte Field Manager), Tim Bozorth (Dillon Field Manager), Marilyn Krause (Facilitator) and Cheryl Atkins (Notes).

Guests: Glen Hockett, Western Watersheds Council

The council convened at 9:00 a.m. with the facilitator covering introductions, ground rules, and agenda review.

Addition to Agenda: Sue Marxer will update the council on the National RAC meeting that will be held in Phoenix, Arizona from May 11th thru 13th.

Update: We haven't received an official word yet, but a call for nominations for new Resource Advisory Council members is towards the end of March. Doug Abelin's term expires and **he** will not be eligible. Susan, Ben, Garry and Pat have served one term. Let Marilyn know if you are interested in doing another term.

Election of Chair and Vice-Chair for the council (Krause): The current Chair is Sue Marxer and the current Vice-Chair is Ted Coffman. The council had a quorum.

Council made nominations for Chair and the vote was:
Sue Marxer – 6; Dennis Phillipi – 4.

Decision: Sue Marxer will continue as Chair for the council.

Council made nominations for Vice-Chair: Ted Coffman

Decision: Ted Coffman will continue as Vice-Chair for the council.

FIELD OFFICE OVERVIEWS:

Missoula Field Office (Nancy Anderson):

- **Personnel:** Linda Cardenas has been selected as the Assistant Field Manager for Renewable Resources and will report for duty in March. Shelagh Fox has been selected as the Fuels Management Specialist and we will be advertising for a Fuels Forester position.

- **Watershed Assessments:** We will be sending out a scoping letter in the next few weeks which will have the proposed action for lands contained in our Flint Creek watershed assessment (approximately 8,600 acres in the Phillipsburg area). We're doing this cooperatively with the Forest Service.
- We will be offering a small stewardship contract this fiscal year covering 20 acres near Garnet Ghost Town.
- We sent out a scoping letter addressing our RMP amendment to adopt the Canada Lynx conservation strategy. We requested comments by February 20, 2004.
- We are finishing our burn plans for approximately 300 acres in the Lower Blackfoot. Depending on snow conditions, we could burn in early March.
- This spring we'll begin a major road improvement project on the Grant Ranch Road and begin the reclamation of the Linton Mine.

Butte Field Office (Rick Hotaling):

- **MTANG Limestone Hills Withdrawal:** The scoping period for the withdrawal has closed, but we are continuing to seek input from the public. We have held additional meetings in Townsend to allow the public more opportunity to comment on the proposed withdrawal. We are currently working with the MT National Guard to develop a proposed action, which will be presented to the public this spring.
- **Butte RMP Revision:** The Notice of Intent (NOI) to revise the RMP was published in the *Federal Register* on December 19, 2003. The NOI started the 60-day scoping period. We held scoping meetings in Butte, Helena, Townsend, Bozeman, Boulder, and Divide in early January. Most of the comments from the scoping meetings were related to travel management, land tenure adjustments, and fuels treatments. Our contractor, Tetra Tech, is preparing a scoping report to summarize the comments we received during scoping. Based upon that report, we will determine where, if any, additional meetings need to be held.
- **Sleeping Giant Travel Management Plan:** We have completed our EA for this project. We hope to have a record of decision sometime in March or April. This will be our last travel management plan outside the RMP revision process. All future travel management decisions will be considered through the RMP revision. Our OHV priority areas will be established in the revision.
- **Clancy fuel treatment projects and timber sale:** We were protested on these projects. The protests were denied. The projects were appealed to the Interior Board of Land Appeals (IBLA). The appeals were denied and the projects are now moving forward. The fuel treatment work has already been started and the timber harvest should be starting sometime this spring.
- **Helena Valley Risk Assessment:** We have completed the Helena Valley risk assessment, and we have held public meetings in Helena and Clancy. The risk assessment provides information on fuel hazards, fire frequency, and other risk factors. All of the factors were combined on a weighted scale and an overall risk assessment was developed for the project area. This assessment is only valid for BLM land; however, we are working with the tri-county fire group to overlay our assessment with the one that they developed for private land. Our assessment will help us determine where to start our fuel treatment projects.
- **Whitetail Basin Research Project:** We are working on a co-operative research project with the Jefferson River Watershed Council, MSU, and Montana Bureau of Mines and Geology. This project is a continuation of a research project conducted in the Missouri Breaks. The project will evaluate the impacts of vegetation projects, such as fuel reduction projects, on ground water quality.

Dillon Field Office (Tim Bozorth):

- **Personnel:** We are advertising for a fuels position, a forester position and a replacement for the Office Automation Assistant.
- **Watershed Assessments:** 80,000 acres were evaluated on the Highlands Watershed Assessment. We are now working on developing alternatives including hazardous fuels reduction alternatives on 8-10,000 acres.
We are looking at 5,000 acres of hazard fuels reduction projects in the Ruby Watershed Assessment. WUI, fuels reduction and forest health issues as well as actions to address areas not meeting standards and forest health objectives. We are also considering a timber sale.
- **Fuels Projects:** We are reviewing the Virginia City Hazardous Fuels Risk Assessment by Northwinds.
- The Winslow Fire Rehabilitation EA is done to address snag removal near trails, fence construction, monitoring and remediation of fire impacts from vehicle parking.
- The Curry Creek/Winslow Fire Salvage Timber Sale: 200 of the 400 acres burned, we are looking at options aimed at enhancing aspen regeneration and harvesting blackened timber while it still retains some value.
- The Sodak Mill Road EA near the Big Hole River north of Dillon, is to provide and enhance public access cut off by recent development in area.
- This summer, we will be conducting the Sheep Creek and Centennial Mountain Watershed Assessments for S&Gs.
- Upper Horse Prairie Fuels Hazard Reduction projects: 600 acres will be conducted this spring.
- We are implementing the Lower Madison Recreation Management Plan, boat ramp and campground enhancement as well as a NEPA analysis and design for South Madison Campground and boat ramp reconstruction.
- River permitting on the Madison is on hold due to reductions in recreation budget.
- The drought is a real concern south of Dillon. Drought letters have been sent to permittees. This is similar to last year. We are looking at authorizing use at the same percent of annual precipitation received by the end of March.
- It's the 40th Anniversary of the Wilderness Act and Bear Trap on the Madison. It's Montana's only BLM Wilderness Area.
- AML Project at Ermont is on hold while we negotiate with claimants. The Rochester project is on hold due to a claim on the tailings area to be remediated. Broadway Victoria, near Silver Star is on hold since the owner is planning to remine tailings.
- Vermiculite Mine, south of Dillon, is being considered for reopening. A bond will require a plan of operations and further testing. Level of NEPA depends on a plan of operations.
- We are analyzing reopening the Stock Driveway Road, east of Axolatl Lakes in the Axolatl WSA. This road provides access to the north end of the Gravelly Mountains which currently lacks access from the Virginia City area; you have to drive to Ennis and then west and south. The road was closed in 1990 via the Interagency Travel Plan due to resource damage concerns. We will look at this area this summer, have a field trip and make a decision this fall. The WSA Interim Management Plan will be followed but it doesn't preclude preexisting vehicle ways in the WSA.

Dillon RMP Update (Bozorth): The BLM Director was briefed via teleconference on February 13th. The target date for release is March 26, 2004, pending WO/DO approval.

The mailing list is finalized based on feedback requested by December 15. Thanks to those who responded. Those RAC members not responding will be sent a hard copy. Copies will be mailed by

the GPO contractor; hard copies will also be placed at locations around planning area so people who still want to look at a hard copy can find one easily. Review period is 90 days from publication of Notice of Availability by EPA in the *Federal Register*.

Planned meetings in coordination with Cooperating Agencies: (Note: Subject to change if release is delayed. These dates will be advertised, circulated once everything is finalized/approved).

All meetings will run from 6:30 to 8:30 p.m. There will be a brief presentation at the beginning of meeting; comment forms available; remainder of time will be used to answer questions in an informal manner, and help people understand kinds of comments that would be most helpful.

May 3	Lima
May 4	Virginia City
May 6	Bozeman
May 11	Dillon
May 12	Butte

Two Comment Meetings:

No presentation; purpose is to provide public with another avenue to comment beyond written comment. Comments will be recorded. Both meetings will start at 7:00 p.m.

May 18	Dillon
May 25	Ennis

The Preferred Alternative contains the recommendations forwarded to us by the RAC to the extent you could come to agreement. (Subgroup work and RMP Digest public comment review).

Question: Does the RAC want to be involved in review of the Draft RMP/EIS?

There would be a distinction in commenting as a RAC versus as individuals who serve on the RAC. Would anticipate if the RAC comment as individuals, many of the members would submit comments opposite of other members, and they would be reviewed and considered just like other comments from the public. Comments from the RAC agreed by consensus would hold considerable weight in alternative/adjustments, etc. as BLM's formal advisory council.

Decision: The RAC will have a Working Meeting on April 19 at 10:00 a.m. at the Dillon Field Office to discuss issues. Tim suggested looking at ACEC's and Vegetation Management as a starting point.

Big Horn Sheep and wildlife issues may be discussed during this meeting as part of the ACEC discussion.

Proposed format for the April 19th Meeting:

- Each member will review the Draft RMP and identify issues and concerns.
 - ACEC's
 - Vegetation Management (Grazing and Fuels)
 - Others?
- Identify common concerns or prioritize as a group the issues that will be discussed. You can still comment individually.
- Break into smaller groups to tackle issues; bring recommendations/wording changes back to full RAC for concurrence (April 19th meeting , June 24th and 25th meeting).

Update on Proposed Grazing Regulations (Mike Tietmeyer): Power Point Presentation given. Comment period ends March 3rd. The Draft Environmental Impact Statement (EIS) was released for review on January 2, 2004.

Overview:

The proposed rule was published in the *Federal Register* on December 8, 2003. The purpose of the proposed grazing regulations is to improve and promote cooperation, protect health of rangelands and increase management efficiency and effectiveness.

Improve and Promote Cooperation:

- Address social, economic and cultural considerations in grazing decisions.
- Phase in grazing changes.
- Share title to cooperatively developed range improvements.
- Cooperate with locally established grazing boards.
- Provide review opportunity for Biological Evaluations and Biological Assessments that address grazing use.
- Retain Resource Advisory Councils

Protect Health of Rangelands:

- Expand discretion to approve nonuse.
- Require monitoring to support health assessments.
- Allow 2 years to develop and implement actions that ensure progress towards meeting health standards.
- Retain Rangeland Health Standards and Guidelines.

Increased Management Efficiency/Legal Issues:

- Remove “conservation use.”
- Modify definition of grazing preference.
- Eliminate duplicative consultation requirements.
- Provide opportunity for joint livestock water rights where state law allows.
- Specify satisfactory performance.
- Establish parameters for “within the terms and conditions of a permit or lease.”
- Increase service charges.
- Link permit penalties to permitted allotments.
- Maintain grazing “status quo” while permit appeal is pending.
- Unequivocally provide that Biological Evaluations and Biological Assessments are not grazing decisions.

Alternatives:

No Action Alternative (Impacts):

- No change in working relationships
- Hastily designed actions to achieve standards – potentially less effective.
- Administrative efficiency unchanged, somewhat cumbersome, inflexible, time consuming.

Proposed Alternative (Summary of Impacts):

- Improves working relationships
- Protects health of the rangelands
- Increases administrative efficiency and effectiveness

Working Relationship Impacts:

- Time to design and adjust (example: herd size) by phasing in changes in steps over 5 years.
- Additional consideration of social, economic and cultural factors
- Improved cooperation with State and Local Grazing Boards
- Greater incentive to invest in range improvements

Rangeland Health Impacts:

- Short Term: may be reversible adverse impacts at the local level
 - 5-year phase-in of management changes
 - 2 years to develop new management strategy
 - Requirement for monitoring and assessment data for evaluations
- Long Term: slight improvement in vegetative conditions and slow improvement in overall watershed conditions.
 - Allowing more time for cooperatively developing management strategies
 - More sustainable management decisions based on monitoring data
 - Removal of restrictions on temporary non-use; greater flexibility and opportunities for resource improvements.

Administrative Efficiency Impacts:

- More focused communications with interested publics
- More timely decisions
- Improved cost recovery for processing actions
- Improved clarity of regulations

Modified Alternative (Impacts):

- Greater flexibility due to discretion allowed for 5-year phase in and use of monitoring data.
- Reduced flexibility due to 5-year limit on consecutive years of non-use.
- Reduced spread of weeds due to requirement to use certified weed free hay (prohibited actions section)

The timeline for the Final Rule/EIS is:

March 2, 2004	End of Comment Period
September, 2004	Publish Final EIS
October, 2004	Publish Final Rule
December, 2004	Grazing Rule Effective

Following the presentation there was general discussion on the proposed grazing regulations and a number of comments related to monitoring and the issue of joint ownership of water rights. It was noted that the Forest Service and the State of Montana do not currently allow for joint ownership. Other questions related to possible administrative problems such as the water right not automatically transferring with the property when it is sold. Mike clarified that this proposal would only affect new developments. RAC members will comment individually on the proposals.

Public Comment Period: Handouts were given.

Glen Hockett, Director of the Montana Watersheds Project and Volunteer President for the Gallatin Wildlife Association.

I am here today to share information with the RAC members on the Bighorn Sheep/Bison.

Bighorn Sheep:

We need to do something radical to maintain bighorn sheep on the lands. FWP released 51 sheep in the Highlands in 2000. There was one permit issued for hunting bighorn sheep in the whole state. In 1994, a bighorn sheep sold for \$310,000; in 2000 one sold for \$95,000. We have raised 2.6 million since 2000 for bighorn sheep.

Question (Doug Abelin):

If bighorn are not viable then why are we auctioning them off?

Answer:

We are making some money that can be put back into habitat and research. It is a critical part of the recovery effort.

Hunting and viewing opportunities of these animals is largely gone. If BLM had management indicators species, I would suggest that bighorn sheep be one. I suggested this to the Forest Service. As leaders in the RAC, you can serve a purpose. Our groups are very disappointed in what we have seen so far with the Resource Management Plan and the ACEC's and the failure to recognize bighorn sheep as needing special management within an ACEC. The whole issue and conflict with domestic sheep, especially, has been ignored. We would suggest voluntary buyouts.

Question:

What were the die offs from?

Answer:

Most common of the die offs were disease related. There are a number of domestic sheep diseases and the sheep appear to be healthy but they live with these diseases and yet when they come in contact with the bighorns, the bighorns cannot tolerate it.

I am also concerned about stock tanks that are in prime bighorn sheep habitats. They are a potential hazard for reservoir of diseases. They attract mites, ticks and flea's and if you have livestock and bighorn sheep using those same sites you are asking for trouble. You don't want to encourage livestock use in preferred bighorn habitat.

It will take some creative thinking and some major changes, that's why we thought the ACEC nomination is the way to designate some areas for special management for bighorns and give them a priority and we would like to work with the RAC and others.

Bison:

We think there is a wonderful opportunity to recover bison into the Taylor Fork (Gallatin NF and Hebgen Reservoir). Bison are currently allowed in Zone 2 and a small zone up in the Yellowstone. Only 100 animals are allowed at any one time and I think if there are more than 3,000 total that evens out the window. DOL and other agencies are harassing and hazing the bison into capture facilities and hauling them off.

We are suggesting the Taylor Fork area as a possible solution. We have outlined comments to the RMP and the Forest with what our vision is, which is to have elk and bison use the same migration routes. Some landowners don't oppose having bison so we think this is a real opportunity with private landowners. I am bringing this up because I don't want the BLM and hope that this RAC will not let the BLM do anything that will be adverse to bison recovery. One of the main problems we have right now is in the Taylor Fork with two Forest Service allotments; we would hope that we can get a voluntary buyout. If we can't, then the alternative is to raise yearlings. Raise an animal that will not affect our brucellosis free status. As far as the RMP goes, there may be, in 4 years, a request for a proposal to who wants bison. Our groups are interested in seeing bison back on the landscape on public land. This needs to be addressed in the RMP.

Comment (Ben Deeble): There was a very strong ACEC proposal submitted by BLM staff for the bighorns that our subgroup was not able to come to a consensus on and we passed it on to the office to do further analysis. I believed it failed to meet criteria for ACEC designation. I would argue that it was a flawed analysis. So we have had opportunities in front of the RAC to address bighorn sheep issues and haven't successfully moved it across the line yet.

Comment (Pat Flowers): We are scoping and taking comments on the bison proposal, if you want to offer your comments on it, there is about 3 weeks left on the proposal (Yellowstone).

Overview of LWCF (Land Water Conservation Fund) projects: Handouts were given to the RAC Members.

Butte Field Office:

Chain-of-Lakes Management Area-we are looking at two pieces of land, one is the McMaster's property; Phase 1 and 2. We are hoping to acquire it this year and our 2005 submission is already in to get Phase 2. In 2006, once we acquire Phase 2 there is a little corridor that runs along Forest Service land that we are potentially looking at acquiring to make a wildlife corridor. Right now the corridor has been narrowed by subdivisions on both sides and the concern is if the corridor gets closed off we are going to have a big disruption of elk running through people's back yards. We are working with different landowners to see what we can do to try and maintain a corridor.

Missoula Field Office:

Blackfoot Watershed- within the watershed there are areas that have been identified through a project The Nature Conservancy (TNC) is working on with Plum Creek. They have reached an agreement on the potential of TNC acquiring 89,000 acres of Plum Creek land within the Blackfoot. It is going to be in phases. We are in the first stage and just signed an agreement to purchase 41,000 acres and depending on how that disposition goes, it will determine whether or not TNC picks up the remaining actions. For the first stage, 2004 we received \$3 million of LWCF money and we are moving forward in the appraisal process to see exactly how many acres it's going to equate to. Over the next several years, all our efforts will be in the Blackfoot. We don't have an estimate of how many acres it will be because we are going through the appraisal process but the 41,000 acres that was purchased went for approximately \$30 million.

The Blackfoot Challenge, a non-profit organization made up of private landowners and agencies, has formed several committees and has hired Hank Goetz to work with the local communities. They've formed landowner groups that are looking at what they would like to see in terms of disposition and management of lands and are holding a series of public meetings.

For 2005, the submissions are in and we have asked for \$1M for land in this area; for 2006 our submissions are due soon. All our efforts will be in this area.

Dillon Field Office:

Since 1979, there has been only one LWCF project in our office which was the purchase of the Beaverhead River Ranch (also known as the Pipe Organ River Ranch) along the Beaverhead River about 11 miles south of Dillon. \$640,000 came from LWCF funds but most of the money for the project came from the North American Wetlands Conservation Act, which received about \$1M of additional money for approximately 2,240 acres. The purchase was completed in 2000.

We received some emergency funding since then; however, out of LWCF, \$19,000 was used to purchase another segment adjacent to the Beaverhead River Ranch for 5.45 acres and almost \$90,000 to purchase another 80 acres which is also adjacent to that tract that will consolidate our ownership in there. We closed on them in October, 2003. We are awaiting Final Title Opinion from the Solicitor.

We submitted projects in 2005 that weren't granted but we are going to pursue the same projects in 2006, they are: 110 acres on the lower Madison River below Bear Trap Wilderness Area along the segment that parallels the highway. 110 acres have been appraised for about \$425,000 but we will be submitting for the 2006 submission as well as potentially another 120 acres adjacent to the Beaverhead tract.

Weeds Overview (Field Managers): Handouts were given to the RAC Members (was not discussed). If you have questions, contact Marilyn.

Update on Blackfoot Recreation Steering Committee (Robin Cunningham): To discuss this, you have to think about three separate concepts, those being: BLM's Special Recreation Permits (SRPs) process, the existence of the RecSteerCom that exists on the Blackfoot Recreation Corridor and the newly developed statewide river management recommendations from the Statewide River Recreation Advisory Committee.

The SRP at this phase always zero's in on 3 groups (organized, competitive and commercial groups). Those are the 3 that require permits to use BLM ground and that is what the RecSteerCom is working on. The progress the RecSteerCom has made so far has been working through organized and competitive events and now is struggling with commercial activity. The RecSteerCom was originally formed in 1995 with Fish, Wildlife and Parks. In 1999, they came out with a Recreational Management Plan for the Blackfoot Recreation Corridor and in doing that they came to a consensus working with all kinds of people to come to the recommendations that are incorporated in their management plan.

How is the RecSteerCom going to work through the SRP? Current recommendations of the statewide river recreation advisory committee are being considered. The decision making process used by the RecSteerCom and their management recommendations are very similar to what evolved separately from the Statewide River RAC.

The Statewide River RAC asked: what do you want the river reaches to look like and what you want it to be like? What are the biological, physical and recreational characteristics you want to maintain? Once you have this goal, you can break it down into decision steps and then establish a goal, objective, a standard and then an action. These are familiar steps in the process which the RecSteerCom used for the SRP.

The RecSteerCom divided the recreation corridor into specific reaches. Each reach, having its own specific physical, biological, and recreational opportunity characteristics, helped develop

management plan and criteria that they used to help establish a matrix of how the river should be in these particular regions. They decided that the upper most reaches of the recreation corridor, which is the most primitive, would be inappropriate for competitive events and it may be very limited for organized groups and possibly for commercial use as well. As the corridor progresses downstream towards Bonner, it's where it's most popular and heavily used..

Recognition should be given to Nancy Anderson and Dick Fichtler for giving the RecSteerCom the opportunity to let the public decide in this circumstance.

How does the RAC fit into this process?

Once all the recommendations are worked out with the RecSteerCom and it goes through BLM they are going to land on your desk. You will have an opportunity to ask questions, discuss, and take action on the group's recommendations. Stage 1 should be done in the next couple of months.

A summary will be given to the RAC at the June meeting.

Update on Limestone Hills Legislative EIS (Rick Hotaling/Garry Williams):

Rick:

We held a town meeting in Townsend in late January to address issues and get local feedback about the Limestone Hills Withdrawal. We addressed and discussed what their specific concerns were from that meeting. The second meeting we held we got into more issues that dealt with the National Guard about what the Guard wants us to do (how management would be different?).

We are now working with the National Guard to develop a Proposed Action; then we will hold more public meetings in the Townsend area before moving forward with the EIS process. If there is a need to come to consensus on an issue, we will come to the RAC and ask that a subgroup be formed if the RAC so wishes.

Garry: There is a lot of uncertainty on what the difference would be between management under military versus BLM.

ADDITION: Update on the National RAC Meeting (Sue Marxer): The meeting will be held in Phoenix, Arizona from May 11th thru 13th.

The RAC chairs were asked to work on a committee to put an agenda together for this meeting. We had our first call about a week ago and wanted to know what kind of issues we had. Our next call is on February 23.

Some of the main issues that will be discussed at this meeting are:

- Budget Implementation
- Dillon RMP (RAC's recommendations); I will be conducting a presentation on the process that we used
- Status (update) of Grazing Regulations and SWL's

- Recreation/Travel Management/Weed Control
- Fire/Fuels Reduction (presentation)
- Stewardship Contracting
- Short presentations will be given for redeveloping books/CD's for new RAC members

Are there any issues that you would like for me to try and bring up at this meeting?

Dick mentioned designation of wilderness areas and Sue said it was not an agenda topic for this meeting. Dick would like Sue to raise the issue at the national meeting with the idea that some members of the Western RAC feel it is important.

NEXT MEETING (after April 19): June 24 and 25, 2004 at the Missoula Field Office will incorporate a field trip. (Blackfoot River or possibly Garnet?)

NEXT MEETING TOPICS:

- Risk Assessment/Hazardous Fuels Reduction (Butte committed to presenting the same information used to explain the process at recent public meetings in the Helena Valley)
- Possible Biologist to come and talk on the Big Horn Sheep
- Finish Dillon RMP Discussion
- Allotment Stewardship Project Discussion – Proposal
- National RAC Meeting Update from Sue
- Get follow-up information on proposed Grazing Advisory Board (how formed?)

MEETING ADJOURNED